

**REAL ESTATE BOARD
MINUTES
APRIL 29, 2010**

PRESENT: Stephen Beers, Robert Dueholm, J. Kenneth Lee, Ryan Schroeder, Peter Sveum, Lisabeth Weirich

EXCUSED: Dennis Pierce

STAFF: Angela Arrington, Bureau Director; Yolanda McGowan, Legal Counsel; Karen Rude-Evans, Bureau Assistant, and other DRL staff.

GUESTS: Kevin King, RASCW; Anne Blood, MATC; Cori Lamont, WRA

APPROVAL OF AGENDA

Amendments:

- Item “P” (case 07 REB 279) on the agenda should be under Proposed Stipulations, and will be deliberated in closed session after item “Y”
- Two versions of revised draft language on Section 26. RL 24.17(1) to replace the information in the agenda packet in Item “E”

MOTION: Steve Beers moved, seconded by Ken Lee, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 18, 2010

MOTION: Steve Beers moved, seconded by Ken Lee, to approve the minutes of February 18, 2010 as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Department Updates and Reminders

Angela Arrington introduced herself as the new Bureau Director. Yolanda McGowan is now the Board’s Legal Counsel. Jim Parker is now the Division Administrator in Enforcement and John Lease is the Division Administrator in Board Services. Peter McCombs introduced himself and an attorney for the business team.

Late Adds Policy

Angela Arrington reviewed the Late Adds Policy for agenda items with the Board.

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PRESENTATION OF PROPOSED STIPULATIONS

There were no presentations.

EXAMINATION, EDUCATION AND EXPERIENCE ISSUES

Ad Hoc Committee Recommendations to Secretary Jackson

Yolanda McGowan reviewed and discussed the Real Estate Ad Hoc Committee recommendations. The goal of the Committee was to examine the current rules, practice in the field and recurring issues in enforcement.

MOTION: Robert Dueholm moved, seconded by Ken Lee, to encourage Secretary Jackson to adopt the recommendations of the Ad Hoc Committee. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULES

Discussion of Potential Revisions to RL 24.17

The Board reviewed the proposed draft language for RL 24.17 with legal counsel.

MOTION: Steve Beers moved, seconded by Lisabeth Weirich, to approve the revised draft language for RL 24.17 (1) as presented. Motion carried unanimously.

Discussion of Potential Revisions to RL 18 and RL 16

MOTION: Steven Beers moved, seconded by Ken Lee, to suspend the request for a scope statement for revisions to RL 18 and RL 16 and to revisit this issue at the December 9, 2010 meeting. Motion carried unanimously.

PRACTICE ISSUES

Timeshares

The Board briefly discussed timeshares and related concerns. The Board would like to have a representative from the timeshare industry to share information with them at a future meeting.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Noted.

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PUBLIC COMMENTS

None.

CONVENE TO CLOSED SESSION

MOTION: Ryan Schroeder moved, seconded by Robert Dueholm, to convene to Closed Session to deliberate on cases following hearings (s. 19.85 (1) (a), Stats.); to consider disciplinary investigation with administrative warning (s. 19.85(1) (b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats.). Roll Call Vote: Stephen Beers-yes; Robert Dueholm-yes; Ken Lee-yes; Ryan Schroeder-yes; Peter Sveum-yes; Lisabeth Weirich-yes. Motion carried unanimously.

Open session recessed at 11:55 a.m. Angela Arrington was excused during closed session and did not participate in any deliberations or discussions.

RECONVENE TO OPEN SESSION

MOTION: Ken Lee moved, seconded by Ryan Schroeder, to reconvene into open session at 12:45 p.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

ADMINISTRATIVE WARNINGS

MOTION: Bob Dueholm moved, seconded by Steve Beers, to issue the administrative warnings in the matters of **06 REB 094, 08 REB 110, 08 REB 212 and 09 REB 014**. Motion carried unanimously.

MONITORING

CHARLENE NASGOVITZ

MOTION: Ken Lee moved, seconded by Bob Dueholm, to grant the request for reinstatement upon application. Motion carried unanimously.

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**CASE CLOSINGS, CITATIONS, AND CASE STATUS REPORT OR
ANY RECEIVED AFTER MAILING OF AGENDA**

MOTION: Steven Beers moved, seconded by Ken Lee, to close the following cases as recommended by the Division of Enforcement. Motion carried unanimously.

1. 07 REB 060 Prosecutorial Discretion
2. 07 REB 089 No Violation
3. 07 REB 127 Insufficient Evidence against M.S., and No Violation against J.I.
4. 07 REB 226 Insufficient Evidence
5. 07 REB 252 Prosecutorial Discretion
6. 07 REB 286 No Violation
7. 08 REB 050 Prosecutorial Discretion
8. 08 REB 058 Prosecutorial Discretion
9. 08 REB 065 Prosecutorial Discretion
10. 08 REB 110 No Violation
11. 08 REB 130 Prosecutorial Discretion
12. 08 REB 211 No Violation

PROPOSED STIPULATIONS

**JOHN B COSTELLO
06 REB 094**

MOTION: Lisabeth Weirich moved, seconded by Steve Beers, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the disciplinary proceedings against John B. Costello. Motion carried unanimously.

**LAURIE A MCATEE
08 REB 187**

MOTION: Lisabeth Weirich moved, seconded by Steve Beers, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the disciplinary proceedings against Laurie A. McAtee. Motion carried unanimously.

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**BRUCE BECKER
07 REB 279**

MOTION: Lisabeth Weirich moved, seconded by Steve Beers, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the disciplinary proceedings against Bruce Becker. Motion carried unanimously.

ORDER FIXING COSTS

**MICHAEL H GRANGER
LS 0906181 REB**

MOTION: Bob Dueholm moved, seconded by Ken Lee, to adopt the Order Fixing Costs in the disciplinary proceedings against Michael H. Granger. Motion carried unanimously.

CONSULTING WITH LEGAL COUNSEL

The Board consulted with legal counsel throughout the meeting as the need was identified.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

None.

DOE – Signatures for Proposed Stipulations, Orders, and Administrative Warnings

Signatures were collected for all required documents.

OTHER BOARD BUSINESS

None

ADJOURNMENT

MOTION: Steve Beers moved, seconded by Ken Lee, to adjourn the meeting at 12:52 p.m.

THE NEXT MEETING IS JUNE 24, 2010